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U.S. DISTRICT COURT  
S.D.N.Y.

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The Honorable Harold Baer  
United States District Judge  
US District Court for the Southern District of NY  
500 Pearl Street  
New York, NY 10007

RE: Pilitsis v. Eber Metro LLC et al.  
Case No.: 1:07-cv-08143

<b>USDS SDNY</b>
<b>DOCUMENT</b>
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Dear Judge Baer:

I am writing to request and adjournment of the pre-trial conference, currently scheduled for November 5, 2007 at 2:00 p.m. This firm represents two of the defendants in the above matter, Eber Metro, LLC and Lester Eber. No Answer has yet been filed in this matter, and I have not filed a notice of appearance with the Court. I have agreed to accept service of the Amended Complaint on behalf of the two defendants my firm represents, and in exchange have been given until November 23, 2007 to answer or otherwise respond to it by plaintiff's counsel, Mr. Walker Harman.

In reviewing the docket sheet on this case, I have learned that there is a pre-trial conference scheduled on Thursday, November 15, 2007 at 2:00 p.m. in room 2230. I had discussed this matter with plaintiff's counsel, Mr. Harman, last week when I first learned of the conference. At that time we had tried unsuccessfully to contact the Court to make a joint request for an adjournment. The adjournment is requested, because I am scheduled to attend a pre-trial conference in another matter in Buffalo, New York on Thursday, November 15 and I have not yet completed my fact investigation with respect to the allegations in this matter. For these reasons, it is respectfully request that the pre-trial conference be rescheduled for some time after November 23, 2007. I understand that Mr. Harman has no objection to an adjournment.

I very much appreciate the Court's consideration of this request.

Respectfully,

*Daniel J. Moore*  
Daniel J. Moore

SO ORDERED:

*Harold Baer*  
Harold Baer, U.S.D.J.  
(212) 338-9088  
Date: 11/14/07

DJM:ac

cc: Walker Harman, Esq. (212) 338-9088